

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE BABU MATHEW P.JOSEPH

FRIDAY, THE 27TH DAY OF DECEMBER 2013/6TH POUSHA, 1935

Bail Appl..No. 8630 of 2013

CRIME NO. 1637/2013 OF KANNUR TOWN POLICE STATION, KANNUR

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PETITIONER:A.26:

**PRASHOB K.T., AGED 35 YEARS,
S/O.PRABHAKARAN, KOLACHERI TAPURATH,
MORAZHA P O.,
KANNUR DIST.**

**BY ADVS.SRI.P.NARAYANAN
SRI.NICHOLAS JOSEPH**

RESPONDENT:COMPLAINANT:

**STATE OF KERALA,
THROUGH STATION HOUSE OFFICER,
KANNUR TOWN POLICE STATION,
REP BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM-682 031.**

BY PUBLIC PROSECUTOR SRI.C.RASHEED

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 27-12-2013 ALONG WITH B.A.NO.8639/2013,THE COURT
ON THE SAME DAY PASSED THE FOLLOWING:**

Kss

BABU MATHEW P. JOSEPH, J.

B. A. Nos. 8630 & 8639 of 2013

Dated this the 27th day of December, 2013

O R D E R

These petitions are filed under Section 439 of the Code of Criminal Procedure for bail.

2. Heard the learned counsel appearing for the petitioners and the learned Public Prosecutor appearing for the respondent.

3. The petitioner in B.A. No.8639 of 2013 is accused No.99 and the petitioner in B.A. No.8630 of 2013 is accused No.111 in Crime No.1637 of 2013 of Kannur Town Police Station. The offences alleged are under Sections 120B, 143, 147, 148, 341, 332, 353, 324 and 307 r/w Section 149 of IPC and under Section 3(1) of the Prevention of Damage to Public Property Act. The petitioner in B.A. No.8639 of 2013 was arrested by the Police on 23.11.2013 and the petitioner in B.A. No.8630 of 2013 was arrested on 11.12.2013. They were produced before the court. They were remanded to judicial custody. They continue to be in custody. Learned counsel for the petitioners submit that the petitioners are innocent of the allegations raised against them. They have no criminal antecedents. Their custodial interrogation was over. The

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investigation of the case has progressed much. About 90 accused in this case were already granted regular bail. They further submit that the continued custody of the petitioners is not required for completing investigation.

4. Learned Public Prosecutor, on instructions, submits that the investigation of the case has progressed much. He also submits that no criminal antecedents have been reported against the petitioners. On considering the facts and circumstances, stage of the investigation, the period the petitioners have already spent in jail and the fact that many accused in this case were already granted regular bail, this Court is satisfied that the petitioners can also be granted bail imposing appropriate conditions. Therefore, the petitioners are granted bail subject to the following conditions:

1) The petitioners shall be released on bail on their executing bonds for Rs.25,000/- (Rupees Twenty Five Thousand only) each with two solvent sureties each for the like sum to the satisfaction of the concerned Magistrate's Court.

2) The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Fridays for a period of two months.

3) The petitioners shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him or her from disclosing such facts to the Court or to any Police Officer.

4) The petitioners shall make themselves available for interrogation as and when required by the Investigating Officer.

5) The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

6) The petitioners shall not commit any similar offences while on bail.

7) The petitioners shall not leave India without the previous permission of the concerned Magistrate's Court/Sessions Court.

These applications are allowed as above.

Sd/-
BABU MATHEW P. JOSEPH
JUDGE